

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
ANDREAS WEITBRECHT,

Plaintiff,

-against-

08 Civ. 0201 (LAK)

B&H ASSOCIATES OF NYC, LLC, et al.,

Defendants.

----- x
ORDER

SDNY
DOCUMENT
ELCTRONICALLY FILED
OC #: _____
FILED: 9/6/08

LEWIS A. KAPLAN, *District Judge*.

Jurisdiction in this case purportedly is premised on diversity of citizenship or perhaps, more properly, alienage.

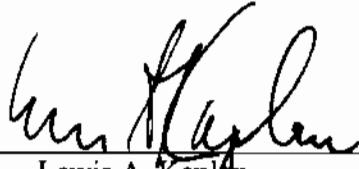
On January 15, 2008, the Court entered an order pointing out that the jurisdictional allegations of the complaint were deficient in that, among other things, it failed adequately to allege the citizenship of limited liability company defendants. The order cited the pertinent Second Circuit case that sets out the requirements of the statute and informed plaintiff that the action would be dismissed for lack of jurisdiction absent the filing, on or before January 21, 2008, of an amended complaint curing the deficiencies.

Plaintiff has filed an amended complaint that fails to correct the deficiency with respect to the limited liability company parties in that it fails to allege the citizenship of each of the members thereof.

Accordingly, the action is dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Dated: February 6, 2008


Lewis A. Kaplan
United States District Judge